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11 Attorneys for Defendant
INNOVATIVE TECHNOLOGY DISTRIBUTORS, LLC

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN JOSE DIVISION

17 ORACLE AMERICA, INC.,

18 Plaintiff,

19 vs.

20 INNOVATIVE TECHNOLOGY
DISTRIBUTORS, LLC,

21 Defendant.
22

No. 11-CV-01043 LHK

STIPULATION AND ~~PROPOSED~~
ORDER CHANGING BRIEFING
SCHEDULE FOR MOTION TO
DISQUALIFY CERTAIN COUNSEL

(CIVIL LOCAL RULES 6-2; 6-3)

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STIPULATION AND ~~PROPOSED~~ ORDER CHANGING BRIEFING SCHEDULE
FOR MOTION TO DISQUALIFY CERTAIN COUNSEL; CASE NO. 11-CV-01043 LHK

1 WHEREAS, Plaintiff Oracle America, Inc. ("Oracle") filed a motion to disqualify
2 certain counsel on April 8, 2011 (Docket No. 38), which is set for hearing on July 21,
3 2011;

4 WHEREAS, Oracle brought a motion for administrative relief to advance the
5 hearing date on the motion to disqualify certain counsel on April 14, 2008;

6 WHEREAS, the Court denied Oracle's motion to advance the hearing date on the
7 motion to disqualify on April 18, 2011, but set an expedited briefing schedule wherein the
8 opposition by Innovative Technology Distributors, LLC ("ITD") to the motion to
9 disqualify is due by May 4, 2011, and the reply by Oracle is due by May 11, 2011 (Docket
10 No. 45);

11 WHEREAS, one of the lead attorneys for ITD, Jason Halper, will be largely
12 unavailable through May 5, 2011 due to a two-day evidentiary hearing in another matter;

13 WHEREAS, the parties have agreed to a short extension of the briefing schedule
14 for the motion to disqualify by two days in order to accommodate Mr. Halper's schedule
15 so that he can participate in the preparation of ITD's opposition;

16 WHEREAS, a two-day extension of the briefing schedule on the motion to
17 disqualify certain counsel should not have any effect on the hearing date of July 21, 2011
18 or the possible earlier consideration of the motion by the Court;

19 NOW, THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE
20 PARTIES HERETO THROUGH THEIR RESPECTIVE COUNSEL, AS FOLLOWS:

21 1. ITD shall have until May 6, 2011, to file an opposition to the motion to
22 disqualify certain counsel.

23 2. Oracle shall have until May 13, 2011, to file a reply to the opposition to the
24 motion to disqualify.

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2 Dated: May 3, 2011

GCA LAW PARTNERS LLP

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/s/ Valerie M. Wagner

Valerie M. Wagner

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Attorneys for Defendant Innovative
Technology Distributors, LLC

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Dated: May 3, 2011

HOLMES ROBERTS & OWEN LLP

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/s/ Meryl Macklin

Meryl Macklin

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Attorneys for Plaintiff Oracle America, Inc.

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ATTESTATION

I, Valerie M. Wagner, am counsel for Defendant Innovative Technology Distributors, LLC. I am the registered ECF user whose username and password are being used to file this STIPULATION AND [PROPOSED] ORDER CHANGING BRIEFING SCHEDULE FOR MOTION TO DISQUALIFY CERTAIN COUNSEL. In compliance with General Order 45, Section X(B), I hereby attest that the above-identified counsel concurred in this filing.

Dated: May 3, 2011

GCA LAW PARTNERS LLP

By: /s/ Valerie M. Wagner

Valerie M. Wagner

Attorneys for Defendant Innovative
Technology Distributors, LLC

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ORDER

IT IS HEREBY ORDERED THAT:

This Court's order dated April 18, 2011 (Docket No. 45) setting an expedited briefing schedule for Oracle's motion to disqualify certain counsel is hereby modified as follows:

1. ITD shall have until May 6, 2011, to file an opposition to the motion to disqualify certain counsel.
2. Oracle shall have until May 13, 2011, to file a reply to the opposition to the motion to disqualify.

Dated: May 3, 2011 _____



LUCY H. KOH
UNITED STATES DISTRICT JUDGE